

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**FABRAIN O'BEAR** : **CIVIL ACTION NO. 15-cv-2026**

**VERSUS** : **JUDGE MINALDI**

**SOUTHEASTERN FREIGHT LINES, INC.** : **MAGISTRATE JUDGE KAY**

**ORDER**

This matter was filed in the Fourteenth Judicial District Court, Calcasieu Parish, Louisiana, on February 10, 2014, (Doc. 1, Att. 1) and removed to this court July 9, 2015. Doc. 1. On July 13, 2015, we issued a Removal Order which, among other things, requires “any attorney appearing as counsel of record in this action who is not presently admitted to practice before the United States District Court for the Western District of Louisiana” take steps to rectify that situation in one of the methods provided within twenty (20) days of that order. Doc. 3. Counsel for plaintiff is not admitted to practice before this court nor has she made an effort to become admitted.

On September 11, 2015, a Scheduling Order was issued setting a telephonic conference with the undersigned for November 5, 2015, at 3:30 p.m. Doc. 8. The order provided that counsel for plaintiff was to initiate the conference call and required all counsel to take certain action preceding the conference such as exchanging initial disclosures, conferring the opposing counsel to prepare and submit a Rule 26(f) report. *Id.*

Chambers received no call for the scheduling conference. At the request of the undersigned counsel for defendant sent correspondence advising what efforts, if any, had been made to contact counsel for plaintiff. According to that correspondence, a copy of which is linked to this order and a copy of which, according to the letter, was shared with counsel for plaintiff, plaintiff's counsel

did not call as ordered and (as verified by the docket of this proceeding) has failed to make necessary disclosures.

Based upon the foregoing, it is


**ORDERED** that, on or before January 6, 2016, counsel for plaintiff is to comply with the Removal Order to become admitted to this court or take whatever other step is necessary so that plaintiff can be represented by counsel properly admitted.

**IT IS FURTHER ORDERED** that a scheduling conference will be held in this matter January 7, 2016, at 4:00 p.m. by telephone. Counsel for plaintiff is responsible for initiating a conference call at that time to include all counsel of record as well as chambers at (337) 437-3874. Counsel for plaintiff is also to refer to the original Scheduling Conference Order (Doc. 8) and comply with other requirements found there.

**IT IS FURTHER ORDERED** that Alycia Grace-O'Bear appear before this court on January 28, 2016, at 10:30 a.m., to show cause why she should not be held in contempt for her failure to comply with this court's orders as set forth above. Should counsel fail to comply with the orders set forth above, this order will be supplemented to include the issues of her failure to comply with this order in the current rule to show cause why she should not be held in contempt.

Plaintiff is cautioned that continued inaction on the part of his counsel could result in a Report and Recommendation being submitted by this undersigned to the District Court suggesting this matter be dismissed for failure to prosecute.

THUS DONE this 21<sup>st</sup> day of December, 2015.

  
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KATHLEEN KAY  
UNITED STATES MAGISTRATE JUDGE

